

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.7.1.1
Western Division**

City Of Rockford, et al.

Plaintiff,

v.

Case No.: 3:17–cv–50107

Honorable Iain D. Johnston

United Biosource Corporation, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Thursday, August 17, 2023:

MINUTE entry before the Honorable Iain D. Johnston: Before the Court is a reporter's request to unseal 38 exhibits referenced during the deposition of Dr. Steve Miller. Dkt. 861. The plaintiff is unopposed. Dkt. 870. The defendants are unopposed to unsealing the one exhibit that was filed under seal, which is Exhibit NN to Dkt. 642. The Clerk is directed to unseal that exhibit. The defendants note that five other exhibits are already on the docket and not sealed, so that request is moot. As to the remaining 32 exhibits, the defendants object because the exhibits were never filed on the docket, and therefore cannot have influenced the Court in any decision it made. Documents that are exchanged by the parties during discovery, but are not filed with the court, are not subject to public disclosure. See *Bond v. Utreras*, 585 F.3d 1061, 1076 (7th Cir. 2009); see also *Baxter Int'l Inc. v. Abbott Labs.*, 297 F.3d 544, 545 (7th Cir. 2014) ("[s]ecrecy is fine at the discovery stage, before the material enters the judicial record."). The request to unseal those documents, which in fact are not on the docket and so there is nothing to unseal, is denied. (yxp,)

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